

ORIGINAL

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED JUN 21 2006 CLERK, U.S. DISTRICT COURT By _____ Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

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v.

(No. 3:06-CV-0987-L)

No. 3:05-CR-0099-L

JENNIFER MITCHELL

ORDER

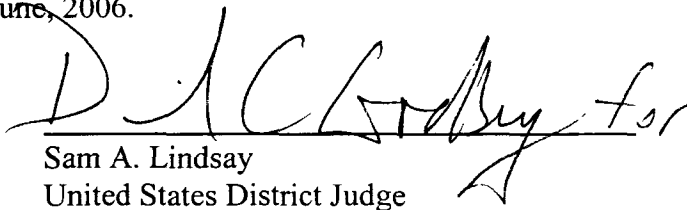
Before the court is Defendant Jennifer Mitchell's Second Motion to Delay Report Date, filed June 15, 2006. On April 19, 2006, the court entered judgment committing Defendant to the custody of the Bureau of Prisons for 18 months. Defendant must report to her designated institution no later than 2:00 p.m. on June 21, 2006. Defendant requests that her date to report be delayed to a date after July 12, 2006, so that she may attend a hearing in the 254th District Court of Dallas County. Defendant also requests a delay of her report date until the court rules on her motion under 28 U.S.C. § 2255. The Government opposes this motion.

Defendant's motion was referred to the United States magistrate judge for proposed findings and recommendation. On June 19, 2006, the Findings and Recommendation on Defendant's Second Motion to Delay Report Date ("Report") were filed. The magistrate judge recommends that Defendant's report date be move to a date shortly after July 12, 2006. He further recommends that the court deny Defendant's request to delay her report date until after the court rules on her motion pursuant to 28 U.S.C. § 2255.

After making an independent review of the pleadings, file and record in this case, and the findings and recommendation of the magistrate judge, the court determines that the findings of the magistrate judge are correct. They are therefore accepted as those of the court. Accordingly, the

court **grants** Defendant's Second Motion to Delay Report Date. **Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 2:00 p.m., on July 18, 2006. No further delays in her report date will be granted.**

It is so ordered this 21 day of June, 2006.



Sam A. Lindsay
United States District Judge